

quinn emanuel trial lawyers | new york

51 Madison Avenue, 22nd Floor, New York, New York 10010-1601 | TEL (212) 849-7000 FAX (212) 849-7100

WRITER'S DIRECT DIAL NO.
(212) 849-7175

WRITER'S INTERNET ADDRESS
sascharand@quinnemanuel.com

April 11, 2013

VIA EMAIL

The Honorable Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street, Room 1610
New York, NY 10007-131

Re: *FHFA v. Merrill Lynch & Co., Inc., et al.*, No. 11 Civ. 6202 (DLC) and *FHFA v. JP Morgan, et al.*, No. 11-cv- 6188 (DLC) (together, the "Tranche 2 Actions"); *FHFA v. Deutsche Bank AG, et al.*, 11-cv-6192, *FHFA v. Goldman Sachs & Co., et al.*, 11-cv-6198, and *FHFA v. Credit Suisse Holdings (USA), Inc., et al.*, 11-cv-6200 (collectively, the "Tranche 3 Actions"); *FHFA v. HSBC North America Holdings, Inc., et al.*, 11-cv-6189, *FHFA v. Barclays Bank PLC, et al.*, 11-cv-6190, *FHFA v. First Horizon National Corp., et al.*, 11-cv-6193, *FHFA v. Bank of America Corp., et al.*, 11-cv-6195, *FHFA v. Citigroup, et al.*, 11-cv-6196, *FHFA v. Nomura Holding America, Inc., et al.*, 11-cv-6201, *FHFA v. SG Americas, Inc., et al.*, 11-cv-6203, *FHFA v. Morgan Stanley, et al.*, 11-cv-6739, and *FHFA v. Ally Financial, Inc., et al.*, 11-cv-7010 (collectively, the "Tranche 4 Actions")

Dear Judge Cote:

Pursuant to the instructions received from Chambers on April 8, 2013 and the additional meet and confer discussions between the parties, we write on behalf of Plaintiff Federal Housing Finance Agency ("FHFA") to update the Court regarding the status of Loan File production in the Tranche 2, 3, and 4 Actions.

First, the parties have reached agreement regarding the relief requested in FHFA's April 4, 2013 status letter concerning loan file production. Specifically, FHFA and Defendants have agreed as follows:

- by April 12, 2013, each Defendant will confirm that outstanding Sample Loans relevant to their cases are covered by a subpoena to the relevant servicer, and, if not, confer with servicers and serve new or amended subpoenas if necessary;

- by April 19, 2013, Defendants will identify any servicers that have not agreed to complete production of outstanding sample Loan Files by April 19, 2013 and will convey this information to FHFA. Defendants understand that FHFA may, in its sole determination, immediately seek relief from the Court with respect to the servicers that have not agreed to the April 19, 2013 completion date;
- by April 19, 2013, Defendants will provide a status report to FHFA on production of the Loan Files in the Tranche 2, 3, and 4 cases that have not been produced by servicers (including from servicers that are Defendants or affiliated with Defendants); and
- by April 19, 2013, Defendants will provide a status report to FHFA on production of Loan Files in the Tranche 2, 3, and 4 cases that have not yet been produced by Defendant originators or originators that are affiliated with Defendants.

Second, based on its meet and confers with Defendants, FHFA is supplementing its April 4 letter regarding the status of loan file production in Tranche 2, 3 and 4 Actions as follows:¹

Status of Loan File Production

The status of loan file production in the Tranche 2 Actions is as follows:

Action	Sample Loans	Loan Files FHFA Has Matched	Additional Loan Files Matched by Defendants	Total Produced	% Produced
JP Morgan	11,600	9,786	782	10,568	91%
Merrill Lynch	7,300	5,831		5,831	80%
Totals	18,900	15,617		16,399	87%

The status of loan file production in the Tranche 3 and 4 Actions is as follows:

Action	Sample Loans	Loan Files FHFA Has Matched	Additional Loan Files Matched by Defendants	Total Produced	% Produced
Credit Suisse	4,900	3,422		3,422	70%
Deutsche Bank	4,700	1,810	1,451	3,261	69%
Goldman Sachs	4,000	3,057		3,057	76%
Morgan Stanley	3,400	2,793		2,793	82%
BOA	3,000	2,373		2,373	79%
Ally	2,100	2,093		2,093	99%

¹ There may be additional Loan Files that have been recently produced or processed by FHFA's vendors that are not yet reflected in the table or exhibits to this letter. One inadvertent error in FHFA's April 4, 2013 status letter related to loan files produced by Defendant Deutsche Bank has also been corrected.

Action	Sample Loans	Loan Files FHFA Has Matched	Additional Loan Files Matched by Defendants	Total Produced	% Produced
HSBC	1,800	1,785 ²		1,785	99%
Citi	1,000	710	36	746	75%
Barclays	800	500	4	504	63%
Nomura	700	684	2	686	98%
First Horizon	500	494		494	99%
Soc Gen	400	400		400	100%
Totals	27,300	20,121		21,614	79%

As these tables reflect, the parties have not yet obtained approximately 8,187 Loan Files in FHFA's Samples. By April 19, 2013, FHFA and Defendants expect to receive approximately 4,511 of these Loan Files from 96 originators. An updated list of these originators and the Loan Files FHFA expects each to produce is attached hereto as Exhibit 1.

Loan Files FHFA Expects to Be Produced From Defendant Originators or Affiliates.

The following table identifies the approximately 761 outstanding sample Loan Files that FHFA believes are in the possession of Defendant originators or originators that are affiliated with Defendants. If Defendants or their affiliates do not produce all outstanding Loan Files within their possession by April 19, 2013, FHFA will, if necessary, seek the Court's intervention.

Originator	Outstanding Loans Based on FHFA's Records	Loan Files Identified by Defendants as Produced	Total Outstanding Loans
Countrywide Home Loans (affiliated with Defendant Bank of America)	525	210	315 (according to Goldman Sachs, at least 1 loan file cannot be located)
First Horizon Home Loan Corporation (Defendant First Horizon is successor-by-merger)	34	2	32 (according to First Horizon, 9 of these loans cannot be located and the remaining 23 will be produced)
Washington Mutual (affiliated with the JPMorgan Defendants)	135	120	15
Defendant Bank of America	8		8
Residential Funding Company, LLC (affiliated with Defendant Ally Financial)	40	38	2

² Since its April 4, 2013 report to the Court, FHFA has been able to match 99% of the HSBC sample loans. The parties are working to secure the last 15 outstanding Loan Files.

Originator	Outstanding Loans Based on FHFA's Records	Loan Files Identified by Defendants as Produced	Total Outstanding Loans
Defendant JPMorgan Chase	9	8	1
Defendant Bear Stearns	8	8	0
Long Beach Mortgage Company (affiliated with the JPMorgan Defendants)	2	2	0
Total	761	388	373

Loan Files FHFA Expects to Receive From Servicers.

As FHFA and other Defendants previously advised the Court, the parties are likely unable to obtain certain Loan Files from certain originators because, among other things, the respective originators are defunct, have confirmed that they have destroyed their documents, or have performed reasonable searches and have been unable to locate the outstanding sample Loan Files. The revised list of these originators and the number of associated sample Loan Files (approximately 3,676 Loan Files originated by 278 originators) is attached hereto as Exhibit 2. As FHFA has previously advised the Court, it believes that servicers are the best source of these remaining Loan Files. Exhibit 3 includes a list of servicers and the Loan Files each servicer could potentially possess.

As FHFA previously advised, even though FHFA and Defendants sent servicers joint letters seeking confirmation from servicers that they could complete their productions of sample Loan Files by March 15, 2013, a number of outstanding loans have not yet been produced by the subpoenaed servicers. FHFA and Defendants have agreed to give these servicers a new production deadline of April 19, 2013. If a servicer does not complete their productions of sample Loan Files by that date, Defendants will immediately advise FHFA and FHFA and/or Defendants will seek any relief from the Court deemed necessary.

Very truly yours,

Sascha N. Rand

Sascha N. Rand

cc: All counsel of record

Exhibit 1 (Sample Loan Files Likely To Be Obtained From Originators)

Originator	Outstanding Loans Files Based on FHFA's Records	Additional Loan Files Identified by Defendants as Produced	Outstanding Loan Files Based on All Parties' Records
Option One Mortgage Corp. n/k/a Sand Canyon Corp. *	938		938
Argent Mortgage Company, LLC	622	31	591
Federal Deposit Insurance Corporation as Receiver for IndyMac Bank, F.S.B. *	956	398	558
Ameriquist Mortgage Co. *	340	5	335
Countrywide Home Loans, Inc. *	525	210	315
New Century Liquidating Trust, as Successor to New Century Mortgage Corp., NC Capital Corp., and Home 123 Corp.	356	46	310
Aames Capital Corp. and Aames Financial Corp.	304		304
Ocwen Financial Corporation, as Custodian of Records for NovaStar Mortgage, Inc., n/k/a Novation Companies, Inc. *	200	17	183
People's Choice Home Loans, Inc.	134	14	120
Decision One Mortgage Co., LLC	113		113
Wells Fargo Bank, N.A. *	103		103
Wilmington Finance, Inc.	98	7	91
Fremont Investment & Loan, c/o Signature Group Holdings, Inc.	313	225	88
Nationstar Mortgage, LLC *	78		78
Suntrust Mortgage, Inc. *	77	13	64
Orchid Island TRS, LLC f/k/a Opteum Financial Services, LLC *	47	4	43
Accredited Home Lenders, Inc.	39		39
MortgageIT, Inc.	49	16	33
First Horizon Home Loan Corporation	34	2	32 (according to First Horizon, 9 of these loans cannot be located and the remaining 23 will be produced)
GMAC Mortgage, LLC *	26		26
Wachovia n/k/a Wells Fargo & Company *	22		22
Encore Credit Corp.	245	225	20
Plaza Home Mortgage, Inc.	33	18	15

Originator	Outstanding Loans Files Based on FHFA's Records	Additional Loan Files Identified by Defendants as Produced	Outstanding Loan Files Based on All Parties' Records
Washington Mutual *	135	120	15
EverBank *	10		10
Mortgage Access Corp. d/b/a Weichert Financial Services	11	1	10
Bank of America, N.A. *	8		8
DHI Mortgage Co., Ltd.	14	7	7
Guild Mortgage Company	7	1	6
Sutton Bank	11	5	6
M&T Bank Corporation, as successor to M&T Mortgage Corporation	4		4
National City Mortgage Inc., n/k/a PNC Mortgage, Inc.*	20	16	4
Stearns Lending, Inc.	5	1	4
Bridgefield Mortgage Corp. f/k/a ResMAE Mortgage Corporation	4	1	3
Home Loan Center, Inc.	4	1	3
Century Mortgage Company	2		2
Residential Funding Company, LLC, f/k/a Residential Funding Corporation *	40	38	2
Wealthbridge Mortgage Corp. f/k/a GFS, Inc.	3	1	2
IndyMac Bank, F.S.B. as successor in interest to Cal Bay Mortgage	1		1
JPMorgan Chase Bank, N.A. *	9	8	1
Just Mortgage Co.	1		1
Weststar Mortgage, Inc.	1		1
Allied Mortgage Group, Inc.	5	5	0
Allstate Funding	1	1	0
Allstate Home Loans, Inc.	2	2	0
Ambika Associates, LLC d/b/a Ambika Mortgage Solutions	1	1	0
American Mortgage Express Financial	1	1	0
Amstar	1	1	0
Amtrust Mortgage	1	1	0
Apex Mortgage Services, LLC	1	1	0
Apreva	1	1	0
Avaris	2	2	0
Bear Stearns	8	8	0
Biltmore Bank of Arizona	2	2	0
Carteret Mortgage Corp.	1	1	0

Originator	Outstanding Loans Files Based on FHFA's Records	Additional Loan Files Identified by Defendants as Produced	Outstanding Loan Files Based on All Parties' Records
Central Pacific Mortgage Company	2	2	0
Columbia Home Loans, LLC	1	1	0
Custom Mortgage Solutions, LLC	1	1	0
Dynamic Capital Mortgage, Inc.	1	1	0
Federal Deposit Insurance Corporation as Receiver for American Sterling Bank	1	1	0
First Guaranty Financial Corporation	1	1	0
First Magnus Financial Corporation	78	78	0
First Pactrust Bancorp, Inc., as successor to Gateway Business Bank	5	5	0
First Washington Mortgage, LLC	1	1	0
Freedom Mortgage Corp.	6	6	0
Funding America Mortgage	2	2	0
GR Lending Corp.	1	1	0
Home Loan Network Corporation	1	1	0
Homesouth Mortgage Corporation	1	1	0
Jersey Mortgage Company	1	1	0
JS Smith Mortgage, LLC	1	1	0
Just Mortgage, Inc.	1	1	0
Kayco Investments d/b/a PCM Financial Services	1	1	0
Lenders Diversified	3	3	0
Lending First	1	1	0
Long Beach Mortgage Company c/o JP Morgan Chase & Co.	2	2	0
Mortgage One & Finance	1	1	0
New Freedom Mortgage Corporation n/k/a iFreedom Direct Corporation	5	5	0
New World Financial, LLC	1	1	0
Old Dominion Mortgage, LLC	1	1	0
Pacific Union Financial	1	1	0
Platinum Lending Corp.	1	1	0
Preferred Mortgage Services, Inc.	1	1	0
Priority Funding	1	1	0
Sage Credit Corp. d/b/a DCG Home Loans	3	3	0
Semidey & Semidey Mortgage Group, LLC	1	1	0
Sierra Pacific Mortgage Co., Inc.	12	12	0
South Lake Mortgage Bankers, Inc.	3	3	0

Originator	Outstanding Loans Files Based on FHFA's Records	Additional Loan Files Identified by Defendants as Produced	Outstanding Loan Files Based on All Parties' Records
South Trust Mortgage Corporation, c/o Wells Fargo Bank, N.A.	7	7	0
The Phoenix Lending Group, Inc.	1	1	0
Transcontinental Lending	1	1	0
UBS Americas, Inc.	1	1	0
Unimortgage, LLC	1	1	0
Western Residential Mortgage, Inc.	1	1	0
Western Thrift & Loan, Inc.	1	1	0
WMC Mortgage, LLC	1	1	0
	6,126	1,615	4,511

* indicates entities that are originators and servicers.

Exhibit 2 (Sample Loan Files Unlikely To Be Obtained From Originators)

Originator	Outstanding Loans Based on FHFA's Records	Loan Files Identified by Defendants as Produced	Total Outstanding Loans Based on All Parties' Records
Ownit Mortgage Solutions, Inc., f/k/a Oakmont Mortgage Co., Inc.	494	40	454
American Home Mortgage Investment Corp. *	319	20	299
SouthStar Funding, LLC	237		237
Oakmont Mortgage Co., Inc.	164		164
AMC	144		144
First National Bank of Arizona n/k/a 1st National Bank of Nevada	132		132
Planet Financial Group, LLC, as successor to Fieldstone Mortgage Company	125	5	120
First NLC Financial Services, LLC	157	45	112
Bexil American Mortgage, Inc. d/b/a American Mortgage Network, Inc.	111		111
Mortgage Lenders Network USA, Inc.	108		108
Unknown (not provided in loan tapes)	102		102
Chapel Funding	104	21	83
Paragon Home Lending Co.	114	44	70
GreenPoint Mortgage Funding, Inc. *	59	1	58
Huntington Bancshares, Incorporated, as successor by merger to Sky Financial Services, Inc., as successor by merger to Waterfield Mortgage Company	57		57
Meritage Mortgage Corporation	54		54
Harbourton Mortgage Investment Corporation	81	29	52
LIME Financial Services, Ltd.	46	3	43
Bayrock Mortgage Corp.	54	13	41
Maribella Mortgage, LLC	52	11	41
Crevecore Mortgage, Inc.	49	11	38
Sebring Capital Corporation	35	1	34
Silver State Financial Services, Inc. d/b/a Silver State Mortgage	34	1	33
Pathway Financial, LLC	39	10	29
Maxim Mortgage Corp.	46	21	25
Lownhome Financial Corporation	23		23
Market Street Mortgage Corp.	22		22
Millennium Funding Group	26	4	22
Quicken Loans, Inc.	25	3	22

Originator	Outstanding Loans Based on FHFA's Records	Loan Files Identified by Defendants as Produced	Total Outstanding Loans Based on All Parties' Records
Mandalay Mortgage, LLC	21	1	20
Prospect Mortgage, Inc., successor to Metrocities Mortgage Corp., LLC, and Metrocities Mortgage Corp., LLC	31	12	19
Acoustic Home Loans, LLC	21	3	18
Great Northern Financial Group, Inc.	33	15	18
Lenders Direct Capital Corporation	26	9	17
Mortgage Inv Lending Associates	17		17
Advent Mortgage, LLC	23	7	16
Equity Resources Mortgages, Inc.	44	28	16
ComUnity Lending, Inc.	15		15
Federal Deposit Insurance Corporation as Receiver for NetBank, Inc.	15		15
Mortgage Warehouse	15		15
Charlotte Home	18	4	14
Eagle Mortgage and Funding, LLC	19	5	14
Home Loan Corporation	26	12	14
Sebring Capital Partners, L.P.	15	1	14
Sunset Direct Lending, LLC	22	8	14
Pioneer Mortgage, Inc.	13		13
Home Loan Expanded	12		12
MILA, Inc.	30	18	12
HomeBanc Mortgage Corporation	11		11
Metcalf Bank, as successor-in-interest to American Sterling Bank, which was in turn successor to Winstar Mortgage Partners, Inc.	11		11
Realty Mortgage Corporation	12	1	11
USA Funding Corporation	18	7	11
W.R. Starkey Mortgage	14	3	11
1st Advantage Mortgage	10		10
Best Rate Funding Corp.	17	7	10
Capitol Mortgage Services, Inc.	16	6	10
Moore Financial Services	11	1	10
Colorado Federal Savings Bank	10	1	9
Commonsense Mortgage, Inc.	12	3	9
First Mortgage Company, LLC	9		9
Flexpoint Funding Corporation	13	4	9
MLSG, Inc.	13	4	9
Sunset Mortgage Company	9		9

Originator	Outstanding Loans Based on FHFA's Records	Loan Files Identified by Defendants as Produced	Total Outstanding Loans Based on All Parties' Records
Home Savings Mortgage	9	1	8
Michigan Fidelity Acceptance Corporation	8		8
Advantage One Mortgage Corp.	8	1	7
Americorp Credit Corp.	7		7
Centennial Mortgage & Funding, Inc.	13	6	7
First Home Mortgage Corporation	9	2	7
First Street	15	8	7
First Street Financial, Inc.	7		7
Sterling Financial Corp. as successor in interest to Golf Savings Bank	7		7
Steward Financial, Inc.	11	4	7
Act Mortgage Capital	6		6
Cornerstone Mortgage, Inc.	9	3	6
Flick Mortgage Investors, Inc.	6		6
GMFS, LLC	6		6
Liberty Mortgage	9	3	6
New Equity Financial Corp.	10	4	6
United Financial Mortgage Corporation	9	3	6
Coastal Mortgage	5		5
First Preferred Mortgage Co.	5		5
Impac Funding Corp.	15	10	5
Mid-Atlantic Financial Services, Inc.	6	1	5
Novelle Financial Services	5		5
RBC Mortgage Company	5		5
Residential Mortgage Capital	12	7	5
Secured Bankers Mortgage Company	11	6	5
Alliance Bancorp, Inc.	27	23	4
Alliance Bankshares Corp. as successor-in-interest to Alliance Mortgage Banking Corp.	4		4
American Lending Group, Inc.	5	1	4
American Mortgage Express	9	5	4
Baltimore American Mortgage Corp.	4		4
Cypress	5	1	4
Elite Funding Corp.	4		4
Estate of Prajna Group Inc., d/b/a Liberty Mortgage Funding	5	1	4
Federal Deposit Insurance Corporation as Receiver for Franklin Bank, S.S.B.	4		4

Originator	Outstanding Loans Based on FHFA's Records	Loan Files Identified by Defendants as Produced	Total Outstanding Loans Based on All Parties' Records
FMF Capital, LLC	4		4
Group One Mortgage Corporation	4		4
HMS Mortgage Corp.	4		4
Homefield Financial, Inc.	4		4
Huntington Mortgage Company	4		4
imortgage.com, Inc.	6	2	4
Investaid Corporation	5	1	4
Mountain Pacific Mortgage Co.	4		4
nBank, N.A.	4		4
PointBank	6	2	4
Provident Savings Bank, F.S.B.	4		4
River Funding Corp.	6	2	4
SBMC, Inc.	4		4
SCME Mortgage Bankers, Inc.	5	1	4
Sea Breeze Financial Services, Inc.	4		4
The Mortgage Outlet, Inc.	4		4
The Mortgage Store Financial, Inc.	9	5	4
TLP Funding d/b/a Betterloans.com	5	1	4
Advantix Lending, Inc.	4	1	3
Arlington Capital Mortgage Corporation	3		3
Available Mortgage Funding, LLC	3		3
BankersWest Funding Corp.	3		3
Cameron Financial Group, Inc.	15	12	3
CBSK Financial Group, Inc. c/o Paracorp Inc.	6	3	3
E-Loan, Inc.	3		3
Evergreen Moneysource Mortgage Co.	3		3
Fairfield Financial Mortgage Group, Inc.	4	1	3
Federal Deposit Insurance Corporation as Receiver for Lydian Private Bank	3		3
Homebridge Mortgage Bankers Corporation	4	1	3
LoanCity, Inc.	3		3
Montgomery Mortgage Capital Corporation	3		3
Platinum Direct Funding	3		3
Premier Mortgage Capital, Inc.	3		3
Ross Mortgage Corporation	3		3
Taylor Bean	3		3

Originator	Outstanding Loans Based on FHFA's Records	Loan Files Identified by Defendants as Produced	Total Outstanding Loans Based on All Parties' Records
Texas Capital Bank, N.A.	4	1	3
2CI Direct, LLC	4	2	2
Aegis Mortgage Corp.	21	19	2
AME	2		2
Ascent Home Loans, Inc.	4	2	2
Barrington Capital Corporation	2		2
Bell State Bank & Trust as successor to Bell America Mortgage, LLC	2		2
Choice Capital Funding, Inc.	2		2
First Bank Mortgage	9	7	2
First Capital	4	2	2
First Consolidated Mortgage	6	4	2
First Financial	2		2
First Franklin	2		2
First Greensboro Home Equity, Inc.	2		2
FT	2		2
Guaranty Bank of Dallas, Texas, as successor to Guaranty Residential Lending, Inc.	2		2
Hamilton Mortgage Company	2		2
Homeview Lending, Inc.	2		2
JDB Mortgage, Inc.	5	3	2
Lancaster Mortgage Bankers, LLC	2		2
Lender Ltd.	2		2
Master Financial, Inc.	7	5	2
Mega Capital Funding, Inc.	2		2
Meridias Capital, Inc.	4	2	2
Mid America Bank, F.S.B.	2		2
Mortgage Solutions Management	2		2
Mylor Financial	2		2
NV Mortgage, Inc. d/b/a Soma Financial	2		2
PHM Financial, Inc.	2		2
Platinum Capital Group	2		2
PMC Bancorp	2		2
Prime Lending, Inc.	2		2
Protofund Mortgage Corporation	2		2
Quick Loan Funding, Inc.	9	7	2
Reunion Mortgage, Inc.	2		2

Originator	Outstanding Loans Based on FHFA's Records	Loan Files Identified by Defendants as Produced	Total Outstanding Loans Based on All Parties' Records
Secured Funding Corp.	2		2
South Pacific Financial Corporation	2		2
Sterling Eagle Mortgage	2		2
Sterling National Mortgage Company, Inc.	2		2
Stonecreek Funding Corp.	2		2
Union Street Mortgage, Inc.	2		2
Virtual Bank	2		2
Wilmington National	2		2
Worldwide Financial	2		2
1st Mariner Bank	1		1
ACN	1		1
ACT Lending Corporation	1		1
American Mortgage Specialist	1		1
American Partners Bank	1		1
American Residential Mortgage, LP	1		1
Ameritrust Mortgage Co., LLC	1		1
Amherst Funding Group, LP	1		1
Atlantic Bancorp of California	1		1
Atlantis Mortgage Co., Inc.	1		1
Automated Finance Corporation	1		1
Bank Millennium	2	1	1
BrooksAmerica Mortgage Corporation	2	1	1
C & G Financial Services, Inc.	1		1
C&F Mortgage Corporation	1		1
Chapel Mortgage Corp. n/k/a DB Home Lending, LLC	1		1
Charter Bank	1		1
Cherry Creek Mortgage Co., Inc.	1		1
Citizens Community Bank	1		1
Clarion Mortgage	1		1
Commonwealth United	1		1
Concord Mortgage, Inc.	1		1
Corestar Financial Group, LLC	1		1
Credit Northeast, Inc.	1		1
CTX Mortgage Company, LLC	1		1
Direct Mortgage Corporation	1		1
Equihome Mortgage Corp.	1		1
Equity Plus	2	1	1

Originator	Outstanding Loans Based on FHFA's Records	Loan Files Identified by Defendants as Produced	Total Outstanding Loans Based on All Parties' Records
First American Mortgage	1		1
First Banc	1		1
First Banc Mortgage, Inc.	1		1
First Guaranty Mortgage Corp.	1		1
First Hallmark Mortgage Corp.	1		1
First Meridian	1		1
First Rate Capital Corp.	1		1
First United Mortgage Bank	1		1
Florida Capital Bank, N.A.	1		1
Freemont Investment	1		1
Genisys Financial Corp.	1		1
George Mason Mortgage	1		1
Global Home Loans	1		1
Guaranteed Rate, Inc.	1		1
Hemisphere Alt-A	1		1
Home Capital Funding	2	1	1
Home Loans USA	1		1
Home Mortgage Resources	1		1
Homeland Capital Group, LLC	1		1
Homeowners Loan Corp.	1		1
Horizon Direct, Inc.	1		1
Huntington National	1		1
Ideal Mortgage Bankers, Ltd.	1		1
Imperial Lending, LLC	1		1
Intercontinental Capital Group, Inc.	1		1
JMO	1		1
Kellner Mortgage Investments I, Ltd.	1		1
Kenney Bank and Trust	1		1
Key Financial Corporation	1		1
Liberty American Mortgage Corp.	9	8	1
Loan Center of California, Inc.	1		1
Loan Link Financial Services	3	2	1
Megastar Financial Corporation	1		1
MMC	1		1
Monticello Bank	1		1
Mortgage Capital Associates, Inc.	1		1
Mortgage Corporation of America, Inc.	2	1	1
Mylor Financial Group, Inc.	1		1

Originator	Outstanding Loans Based on FHFA's Records	Loan Files Identified by Defendants as Produced	Total Outstanding Loans Based on All Parties' Records
Nations First Lending, Inc.	1		1
Nations Home Lending Center	1		1
NBGI, Inc.	1		1
NJ Lenders Corp.	1		1
North American Mortgage Co.	1		1
NYMC	1		1
Oak Street Mortgage, LLC	4	3	1
Pacific Community Mortgage	1		1
Paul Financial, LLC	1		1
Pinnacle Direct Funding Corporation	2	1	1
Pinnacle Financial Corporation	2	1	1
Pinnacle Mortgage Group, Inc.	1		1
Platinum Community Bank	1		1
Prime Mortgage Financial, Inc.	1		1
Professional Mortgage Partners, Inc.	1		1
Right-Away Mortgage	1		1
River Valley Bancorp n/k/a Pine River Valley Bank	1		1
SMI	1		1
Southern Trust Mortgage, LLC	1		1
Spectrum	1		1
Spectrum Financial Group	1		1
Summit Financial Group, Inc.	1		1
Summit Mortgage, LLC	1		1
Sunshine Mortgage, LLC f/k/a Sunshine Mortgage Corporation and Madison Mortgage Corporation	1		1
The Washington Savings Bank	1		1
Town & Country	2	1	1
Transnational	4	3	1
Triam, LLC	1		1
United Federal	4	3	1
Universal American Mortgage Company, LLC	15	14	1
Valley Vista Mortgage Corp.	1		1
Vitek Real Estate Industries Group, Inc.	1		1
Wausau Mortgage Corp.	1		1
Willow Bend Mortgage Company, LLC	1		1
WS Mortgage	1		1

Originator	Outstanding Loans Based on FHFA's Records	Loan Files Identified by Defendants as Produced	Total Outstanding Loans Based on All Parties' Records
Zino Financial, Inc.	1		1
	4,336	660	3,676

Exhibit 3 (Outstanding Loan Files Likely In Possession of Servicers)

Servicer	Outstanding Loans Servicer May Possess³	Defendant(s) that Issued Subpoena(s) for the Outstanding Loans⁴
Ocwen Financial Corporation	up to 4,196	Goldman Sachs, JPMorgan Chase
Wells Fargo Bank	up to 3,797	Goldman Sachs
Homeward Residential Inc. / American Home Mortgage ⁵	up to 2,853	Goldman Sachs, Credit Suisse
Bank of America / BAC Home Loans Servicing / Wilshire	up to 2,300	Goldman Sachs, JPMorgan Chase, Credit Suisse FHFA understands that up to 489 of these outstanding loans are being serviced by Wilshire, which is affiliated with Bank of America, and are being produced voluntarily without the necessity of a subpoena.
JPMorgan Chase / Chase Home Finance	up to 1,583	Goldman Sachs, Credit Suisse
OneWest Bank / IndyMac Bank, F.S.B.	up to 1,184	Goldman Sachs
Residential Funding Company, LLC / GMAC Mortgage, LLC	up to 1,049	The parties are not subpoenaing these entities due to bankruptcy.
Option One Corp., which transferred its servicing business to Homeward Residential	up to 894	Credit Suisse
Select Portfolio Servicing, Inc.	up to 740	Goldman Sachs
Litton Loan Servicing LP	up to 684	Bank of America
PHH Mortgage Corp.	up to 608	Bank of America, Goldman Sachs
Citi / CitiMortgage, Inc. / ABN AMRO Mortgage Group	up to 434	Bank of America, Credit Suisse
HSBC Bank USA, N.A.	up to 382	Credit Suisse

³ As FHFA informed the Court on April 4, 2013, the information concerning which servicers serviced which loans was provided to FHFA by Defendants at FHFA's request. As Defendants identified multiple potential servicers for some loans, FHFA is, in some instances, unable to determine precisely which loan files each servicer may possess.

⁴ Some Defendants have determined that outstanding loans at issue in their cases were not covered by any subpoena to the relevant servicer. These Defendants have agreed to confer with the relevant servicers and obtain the loans informally or, if necessary, serve a new or amended subpoena.

⁵ Homeward Residential Inc. is the successor to American Home Mortgage.

Servicer	Outstanding Loans Servicer May Possess³	Defendant(s) that Issued Subpoena(s) for the Outstanding Loans⁴
Amerquest Mortgage Co.	up to 339	Bank of America; Citi Citi has informed FHFA that Amerquest will complete its production under Citi's subpoena shortly.
PNC Bank, N.A.	up to 312	Goldman Sachs
GreenPoint Mortgage Funding	up to 259	Credit Suisse
Countrywide Home Loans	up to 234	Credit Suisse
Nationstar Mortgage, LLC	up to 195	Credit Suisse, Goldman Sachs
Specialized Loan Servicing, LLC c/o Capitol Services, Inc.	up to 191	Bank of America
Capital One, N.A.	up to 156	Credit Suisse
Central Mortgage	up to 153	FHFA does not have a record that a Defendant issued a subpoena for the MANA 2007-A1 and MANA 2007-A2 Securitizations, which are associated with the Merrill Lynch action.
Fifth Third Bank	up to 135	Credit Suisse
Washington Mutual	up to 126	Credit Suisse
Everbank / EverHome Mortgage Company	up to 114	Credit Suisse, JPMorgan Chase
National City Mortgage, Inc.	up to 100	Goldman Sachs
Saxon Mortgage Services, Inc.	up to 100	Deutsche Bank Deutsche Bank has informed FHFA that a production is forthcoming
Carrington Mortgage Services, LLC	up to 84	Deutsche Bank Deutsche Bank has informed FHFA that Carrington Mortgage Services made a production to FHFA pursuant to an administrative subpoena. FHFA is confirming whether this production includes loans serviced by Carrington.
Wachovia Mortgage Corp. n/k/a Wells Fargo Bank	up to 43	Credit Suisse
Orchid Island TRS, LLC f/k/a Opteum Financial Services, LLC	up to 14	Bank of America
Midland Mortgage Co.	up to 9	Bank of America, Deutsche Bank Deutsche Bank had informed FHFA that Midland Mortgage's production is complete. FHFA is confirming.
Cenlar F.S.B.	up to 7	Bank of America
Colonial Savings, F.A.	up to 3	Ally Securities

Servicer	Outstanding Loans Servicer May Possess ³	Defendant(s) that Issued Subpoena(s) for the Outstanding Loans ⁴
Aurora Bank, S.S.B.	up to 1	FHFA does not have a record that a Defendant issued a subpoena for the RALI 2006-QO4 Securitization, which is associated with the Ally Financial action.
HomeComings Financial Network, Inc.	up to 1	Credit Suisse